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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

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8 UNITED STATES OF AMERICA,)

Case No.: 2:12-CR-0004-APG-GWF

9 Plaintiff,)

ORDER

10 vs.)

11 QASIR MUKHTAR, et al.,)

12 Defendants.)
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15 On June 1, 2013, defendant Qasir Mukhtar filed a Notice of Appeal [Dkt. #376] of this
16 Court's May 15, 2013 Order [Dkt. #364] denying Mr. Mukhtar's second motion for pretrial
17 release and affirming the Magistrate Judge's February 13, 2013 Order directing the continued
18 pretrial detention of Mr. Mukhtar. On June 4, 2013, the United States Court of Appeals for the
19 Ninth Circuit entered its Order suggesting that the Notice of Appeal was not timely. The Ninth
20 Circuit Court remanded the case to this district court for the limited purpose of permitting this
21 Court to provide Mr. Mukhtar notice and an opportunity to request that the time for filing the
22 Notice of Appeal be extended, for a period not to exceed 30 days from the expiration of the time
23 prescribed by Federal Rule of Appellate Procedure 4(b), upon a finding of excusable neglect or
24 good cause. *See* Fed. R. App. P. 4(b)(4); *United States v. Ono*, 72 F.3d 101, 103 (9th Cir. 1995);
25 *United States v. Stolarz*, 547 F.2d 108, 112 (9th Cir. 1976).
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1 Accordingly, on or before June 20, 2013, defendant Qasir Mukhtar shall file a brief
2 demonstrating excusable neglect or good cause, if any exists, which would justify extending the
3 time for filing the Notice of Appeal for a period not to exceed 30 days from the expiration of the
4 time prescribed by Fed. R. App. P. 4(b). The Government shall have 14 days after service of Mr.
5 Mukhtar's brief in which to file any response.

6 DATED this 6th day of June, 2013.

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9 **ANDREW P. GORDON**
10 **UNITED STATES DISTRICT JUDGE**
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